

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Civil Writ Petition No.18929 of 2015
Date of Decision: September 09, 2015

Balbhadr Singh and others

.....Petitioners

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Santosh Sharma, Advocate, for the petitioners.
Mr.Rajesh Bhardwaj, Additional AG, Punjab.

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1. *Whether Reporters of Local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Surya Kant, J. (Oral)

Notice of motion to respondent Nos.1 to 3 only at
this stage.

On our asking, Mr.Rajesh Bhardwaj, learned
Additional Advocate General, Punjab, accepts notice on their
behalf.

Let three copies of the writ petition be supplied to
the State counsel during the course of day failing which this
order shall be automatically recalled and the writ petition shall
be deemed to have been dismissed for non-prosecution.

In view of the nature of order which we propose to
pass, it is not necessary to seek any counter-reply from
respondent Nos.1 to 3 or to serve respondent No.4 at this
stage as no order prejudicial to its interest is being passed.

There is a dispute between the petitioners and Gram Panchayat not only in respect of ownership of the suit land situated within the revenue estate of village Jodhwal, Hadbast No.21, Tehsil Samrala, District Ludhiana, but also in respect of entries made in the revenue record. The petitioners rely upon certain reports said to have been made by the revenue officers for reversing Mutation No.991 and to correct the entries in their favour. It is further alleged that despite those reports/recommendations, necessary action has not been taken.

Heard learned counsel for the petitioners as well as learned State counsel.

Since we have not heard respondent No.4-Gram Panchayat at this stage and its view-point is not before us, we clarify that these directions shall not be construed as an expression of our views on merits. Suffice to say that if any issue regarding updating of mutation is pending consideration before the Tehsildar, Samrala, let such proceedings be taken to their logical conclusion in accordance with law and after hearing all concerned. It is made clear that no order adverse to the interest of Gram Panchayat, Jodhwal shall be passed without hearing it. Let an appropriate order be passed within a period of four months from the date of receiving a certified copy of this order.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

[P.B.BAJANTHRI]
JUDGE

September 09, 2015
mohinder